

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISIONRECEIVED  
USDC, CLERK, CHARLESTON, SC

2013 MAY - 2 P 2:03

James Robert Thomas, )  
                        )  
Plaintiff,           )  
                        )  
v.                    )  
                        )  
Carolyn W. Colvin, )                           **ORDER**  
Commissioner of Social Security, )  
                        )  
Defendant.           )  
                        )

The Plaintiff filed this action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), to obtain judicial review of the Commissioner of Social Security's final decision denying the Plaintiff's claim for benefits. The matter was referred to a United States Magistrate Judge for preliminary determinations. On April 12, 2013, the Commissioner filed a motion to remand this matter for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). The Plaintiff did not file any response in opposition to the motion, and, therefore, the Magistrate Judge issued an R&R on April 12, 2013, recommending that this Court grant the Commissioner's motion to remand. No party has objected to the Magistrate Judge's recommendation.

  
The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility for making a final determinate remains with the court. Matthews v. Weber, 423 U.S. 261, 269 (1976). The court reviews de novo those portions of the R&R to which a specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. See

28 U.S.C. § 636(b)(1). In the absence of an objection, the Court reviews the R&R only for clear error. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation”) (citation omitted).

Here, no objections to the R&R have been filed, and the Court finds no clear error in the Magistrate Judge’s recommendation. Accordingly, it is hereby

**ORDERED** that the R&R (Entry 22) is adopted, and the Commissioner’s motion to remand this matter for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g) (Entry 21) is **GRANTED**.

**AND IT IS SO ORDERED.**



Sol Blatt, Jr.  
Senior United States District Judge

May 2, 2013  
Charleston, South Carolina

